

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LAURENCE R. WAGNER,

Plaintiff,

vs.

THE HONORABLE JOHN MCHUGH,
Secretary of the Army; et. al;

Defendants.

8:12CV174

MEMORANDUM AND ORDER

IT IS ORDERED:

1) The defendants' motion to file the MSPB Administrative Record as a restricted access document, (Filing No. 96), is granted.

2) The plaintiff's motion, (Filing No. 97), is granted in part and denied in part as follows:

- a. Plaintiff's request for a copy of the Court's Order dated February 3, 2014 is granted. The clerk shall send a copy of filing 94 to the plaintiff.
- b. Plaintiff's motion to deny the "Defendant's 'Joint' Motion for Progression Order" is denied as moot. The defendants may have presented a proposed joint motion to the plaintiff for his consideration, but it was never filed with the court.
- c. Plaintiff's request for a progression order which permits written discovery (Interrogatories and Requests for Production) is granted as set forth in the progression order entered on March 20, 2014, (Filing No. 99).
- d. Plaintiff's request to depose at least 12 witnesses before he is deposed by the defendant is denied. The parties may conduct depositions in accordance with the Federal Rules of Civil Procedure, this court's local rules, and the court's orders herein.

March 21, 2014

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge